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(3) THE MADRAS RE-ENACTING (NO. III) BILL, 1948
(L.A. BILL NO. 14 OF 1948).

11.45 a.m. THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'that the Madras Re-enacting (No. III) Bill, 1948 (L.A. Bill No. 14 of 1948), as passed by the Legislative Assembly be taken into consideration at once.'

" This is exactly similar to the other two Bills which we have just now passed with the difference that this has not been referred to a Select Committee or a Joint Select Committee. As I said, we have been for the last one year, examining all these Bills one after another. It took us so much time to complete our examination. The Schedule relates to the Local Boards Act and District Municipalities Act. These are mere administrative Acts. For instance, in the first Act, Government decided to have executive authority for Panchayat Boards and therefore they say that wherever the word 'President' occurs, the words 'executive authority' shall be substituted. The first Act was found necessary because Executive Officers are necessary for major Panchayats. The second Act in the Schedule relates to the extension of the terms of office of the Councillors and aldermen of the Corporation of Madras because in the case of municipalities, elections are over and therefore Madras Act XXIV is no longer required in their case but it is not the case with the Corporation and Panchayats, as neither Madras Act XVI of 1946 nor Madras Act II deals with these bodies. Hence the necessity of re-enacting this Act. The third Act in the Schedule relates absolutely to administrative matters regarding certain actions. Certain administrative difficulties were found during the past three or four or five years and to overcome those difficulties, this Act is found necessary and it is one which deals purely with administrative matters. Lastly, there is the fourth Act in the Schedule, the Madras District Municipalities and Local Boards (Amendment) Act, 1946. It is intended to defray the costs of maintaining certain roads by municipalities by taking them over by the Highways Departments, as the District Boards or municipalities had not sufficient funds to maintain them properly. After the taking over of these roads by the Highways Department, local bodies were not under any obligation to provide lighting, scavenging, drainage, watering, etc., for roads which had been taken away from their control. This Bill says that even though the roads have been taken over by the Highways Department, these local bodies should continue to provide the normal civic amenities such as lighting, scavenging, drainage, watering, etc., in the roads lying within their jurisdiction. These are the four Acts, Sir, that are sought to be re-enacted for the purposes I have mentioned."

MR. PRESIDENT :—" The question is that a Bill further to re-enact certain enactments (L.A. Bill No. 14 of 1948) as passed by the Assembly be taken into consideration at once."

The motion was put and carried.

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a Printed as Appendix II on pages 282–284 infra.

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Clauses 2 to 5, the Schedule and clause 1 were separately put and carried.

The Preamble was put and carried.

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Bill be passed into law.*' "

The motion was put and carried and the Bill was passed into law.

IV.—GOVERNMENT MOTIONS.

(1) AMENDMENT TO SCHEDULES III AND IV TO THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920 (MADRAS ACT V OF 1920).

THE HON. SRI K. CHANDRAMOULI :—" Sir, I move—

'*that the draft amendments to the Madras District Municipalities Act,* 1920 (*Madras Act V of* 1920) *which it is proposed to make in exercise of the powers conferred by section* 305-*A of the District Municipalities Act,* 1920 (*Madras Act V of* 1920) *be approved.*'

" Sir, the draft rules [a] have been placed before the House. They are self-explanatory. These are made for the convenience of the proceedings of the councils and these amendments are necessary for carrying on the administration with respect to taxation, etc. This is the sum and substance of these rules. These rules were made during the time of the Advisers. The rules were afterwards considered and necessary adjustments were made for administrative convenience and they are now finalized and placed before the House for approval."

* SRI R. SURYANARAYANA RAO :—" Mr. President, Sir, —I cannot say I am raising a point of order—but, if you see Re-enacting Bill No. III, there are certain amendments introduced there to the rules in various schedules. For instance, take page 11, in rule 4 (i) of Schedule II of the said Act, an amendment is proposed. Again take page 22. It is stated that in rule 2 of Schedule III to the said Act, after sub-rule (2), the following sub-rule shall be added, etc. Sir, while in certain cases the sub-rules form part of the regular Bills introduced, I do not understand why in respect of certain other rules, a motion of this kind should be made. They could have been straightaway included in the schedule to the Bill which the Hon. Mr. Madhava Menon introduced. I want to know whether these are rules framed under the schedules or they are rules amending the schedules."

THE HON. SRI K. CHANDRAMOULI :—" They are rules amending the schedules."

SRI R. SURYANARAYANA RAO :—" Therefore, they form part of the Act."

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[a] Printed as Appendix III on pages 285-290 infra.